

REMARKS

Upon entry of the present amendment, claims 1-3, 5-7, 9-11 and 13-14 are pending in the application, of which claims 1, 3, 5, 13 and 14 are independent.

Allowable Subject Matter

The applicant gratefully acknowledges the Examiner's allowance of claims 5 and 6, as well as the Examiner's indication that claim 8 would be allowable if rewritten in independent form including the limitations of the base claim and any intervening claim, and the Examiner's indication that claims 4, 9, 10 and 12 would be allowed if amended to overcome the rejection under 35 USC 112, second paragraph, and if rewritten in independent form including the limitations of the base claim and any intervening claim, as set forth at items 8-10 of the present Office Action. Claims 1, 3 and 9 have been amended here, claims 4, 8 and 12 has been canceled without prejudice, and without dedication or abandonment of the subject matter therein, and new claims 13 and 14 have been added.

Applicant respectfully submits that all of the above amendments and new claims are fully supported by the original application. Applicant also respectfully submits that the above amendments and new claims do not introduce any new matter into the application.

Claim Amendments

Claim 1 has been amended to incorporate all of the limitations of claim 8, except that the accommodator is defined as *constituting part of the seat supporting member*, rather than as being the seat supporting member, consistent with the specification disclosure. Thus, claim 1 is effectively claim 8 rewritten in independent form.

Claim 3 is amended similarly claim 1, wherein the claim is amended to incorporate all of

the limitations of antecedent claim 4 and a variation of the limitation of claim 12, again, the accommodator is defined as *constituting part of the seat supporting member*, rather than as being the seat supporting member. Thus claim 3 is effectively claim 12 rewritten in independent form.

Claim 2 is amended to overcome a minor informality, while claim 9 has been amended to claim dependency from claim 3, since claim 4 has been canceled and its limitations incorporated into claim 3.

New claim 13 is a modified version of independent claim 1 as previously presented in Amendment-B, and which further defines that the arrangement of the seatbelt-anchor *prevents the weight sensor from receiving a tensile force caused by the seatbelt apparatus*; while new claim 14 is a modified version of independent claim 3 as previously presented in Amendment-B, and which also further defines that the arrangement of the seatbelt-anchor *prevents the weight sensor from receiving a tensile force caused by the seatbelt apparatus*.

It is respectfully submitted that all of the present amendments are fully supported by the original applicant including the drawings, especially the discussion at paragraphs [0056]-[0058] of the original specification, FIG. 2 and the discussion of same. Applicant also respectfully submits that the above amendments do not introduce and new matter into the application.

In view of the present Amendment and the following arguments, all bases of objection and rejection set forth in the Office Action are believed to be overcome. Accordingly, reconsideration and withdrawal of the objection and rejections set forth in the Office Action are respectfully requested, as discussed further below.

35 USC §112 Rejection

The Examiner has rejected Claims 4, 9-10 and 12 under 35 USC §112, second paragraph,

as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Particularly, the Examiner objects to the language "the buckle adapted to be fixed to the accommodator" in claim 4, since independent claim 3 already recites that "the buckle adapted to be fixed to a seat support structure", and therefore appears inconsistent to the claims.

In light of the above amendment to claim 3, applicant respectfully submits that the Examiner's 112 rejection is overcome and that present claims 3, 9 and 10 are adequately definite within the guidelines of 35 USC § 112, second paragraph. As clearly shown in Fig. 2 and the corresponding discussion, the base plate 21 (which is consistent with the accommodator of claim 4) is part of the weight detection unit 20, whereas the unit 20 is defined as part of the seat supporting structure.

Accordingly, it respectfully requested that the rejection be reconsidered and withdrawn.

35 USC § 103(a) Rejections

1. The Examiner has rejected claim 1 under 35 USC 102(e) as being anticipated by Aoki US Patent 6,786,104. The Examiner states that Aoki discloses an attaching structure for a seatbelt apparatus of a vehicle equipped with a seat, which is provided on a vehicle body through a weight sensor, wherein the seatbelt apparatus comprises: a seat anchor is fixed to a seat supporting member, which is positioned between the weight sensor and the seat.

Applicant's Response

Upon careful consideration and in light of the above amendments to the claims, in which amended claim 1 is effectively claim 8 rewritten in independent form, applicant respectfully submits that the rejection is overcome and that present claim 1 is clearly patentably distinct over the

Aoki reference, especially given the Examiner's indication of allowable subject matter.

Accordingly, and it is respectfully requested that the rejection be reconsidered and withdrawn.

2. The Examiner has rejected claims 1-3, 7 and 11 under 35 USC 103(a) as being unpatentable over Aoki in view of Pal (6,585,325). The Examiner states that Aoki discloses an attaching structure for a seatbelt apparatus of a vehicle equipped with a seat, which is provided on a vehicle body through a pair of weight sensors at both side thereof, which is positioned below a pair of seat side rails. Although, Aoki does not directly disclose that the seatbelt anchor is fixed to the seating support member, it would be obvious to one skilled in the art to modify the invention of Aoki by fixing the buckle and the anchor to the seat sliding rail based on the teachings of Pal.

Applicant's Response

Upon careful consideration and in light of the above amendments to the claims, including the amendments to claims 1 and 3 whereby these claims are effectively claims 8 and 12 rewritten in independent form and whereby the 112 rejection is overcome as discussed above, applicant respectfully submits that the rejection under 35 USC 103(a) is overcome and that the present claims are clearly patentably distinct over the Aoki and Pal references, especially given the Examiner's indication of allowable subject matter.

Accordingly, it is respectfully requested that the rejection be reconsidered and withdrawn.

Other Matters

The additional references cited by the Examiner on the form PTO-892 attached to the Office Action, US Patent 6,069,325 to Aoki, US Patent 5,733,013 to Brown, US Patent 5,599,070 to Pham and US Patent 6,676,162 to Gyllenspetz et al., have been considered by applicant. It is respectfully

submitted that each of present claims 1, 3-7 and 9-11 is clearly patentably distinct over such reference whether considered singly or in combination together with the other references of record.

New claims 13-14 are believed to be allowable over all of the references of record for reasons substantially corresponding to the patent distinctness of claims 1, 3-7 and 9-11.

For example, although the Examiner asserts a broad interpretation of Aoki's buckle 123 to read on the claimed anchor, applicant respectfully submits that such an interpretation is unreasonable because it is inconsistent with the plain meaning of "seatbelt anchor" and with the specific discussion of an anchor as consistently presented throughout the specification.

Moreover, a significant aspect of the claimed invention, as discussed in the application, is that the weight of the seatbelt pushing down on an occupant does not affect the weight sensed by the weight detector. This is directly reflected in the language of new claims 13 and 14 which define that the structures thereof "... *prevent the weight sensor from receiving a tensile force caused by the seatbelt apparatus.*" The Aoki disclosure does not consider or address the main problem solved by the applicant's invention, which is (again) to configure the seat belt attachment location so as to prevent seat belt tensioning forces from contributing to the measured weight of the seat occupant. On the other hand, the Pal reference does not disclose the use of a weight measuring apparatus. Thus, neither of the references discloses nor suggests the significant advantage achieved by the claimed invention, and correspondingly any hypothetical combination of the applied references based on the actual disclosures thereof fails to achieve or make obvious the invention of claims 13 and 14.

CONCLUSION

For all of the above mentioned reasons, applicant requests reconsideration and withdrawal of the objections of record, and allowance of all pending claims.

Applicant respectfully submits that the above amendments are fully supported by the original disclosure, including the specification, drawings and claims, and that no new matter is introduced by the above amendments. The application is now believed to be in condition for allowance, and a notice to this effect is earnestly solicited.

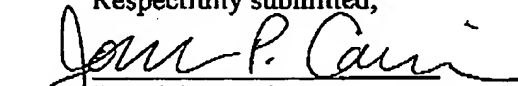
If the Examiner is not fully convinced of the allowability all of the claims now in the application, applicant respectfully requests that the Examiner telephonically contact applicant's undersigned representative to expeditiously resolve prosecution of the application.

The Commissioner is hereby authorized to charge \$400.00 to Deposit Account No. 50-0744 in the name of Carrier, Blackman & Associates, P.C. in payment of the fee for presentation of 4th and 5th independent claims. A duplicate copy of this sheet is enclosed.

Favorable reconsideration is respectfully requested.


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JPC/amc

Respectfully submitted,


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CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being sent via facsimile transmission to the US Patent & Trademark Office on August 30, 2005.


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